IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1021 OF 2007

1.Navnath Gulabrao Bagal &
2.Sakuntala Gulabrao Bagal. ...Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.A.P.Kulkarni, Adv. for the Applicants.
Mr.Rajesh More, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 2nd April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking bail in C.R.No.12 of 2007 of Baramati Taluka Police Station, Baramati. The said case is mainly under Section 302 of IPC.

3. It is the prosecution case that Swati (deceased) was the wife of applicant No.1 and daughter-in-law of applicant No.2. There was

harassment to Swati on account of demand of Rs.50,000/- and thereafter applicant No.2 poured kerosene on Swati and set her on fire.

4. I have perused the dying declaration of Swati. Swati has specifically stated that on 8.2.2007 at 5:30 a.m. her mother-in-law i.e. applicant No.2 poured kerosene on her and thereafter pushed her on the burning hearth. On account of the said incident, Swati sustained 80% burn injuries and she died.

5. No role has been attributed by Swati to applicant No.1 in respect of setting her on fire. Infact, Swati has stated that after she caught fire, she started shouting loudly, whereupon her husband i.e. applicant No.1 came out of the house and he started extinguishing the fire.

6. Looking to all these facts, I am inclined to grant bail to applicant No.1. Navnath Gulabrao Bagal only. As far as application for bail of applicant No.2 is concerned, the same is rejected.

7. The applicant No.1 Navnath Gulabrao Bagal to be released on bail in the sum of Rs.20,000/- with one or two sureties to make up the said amount. The applicant No.1 shall report to Baramati Taluka Police Station, Baramati once in a week till conclusion of trial.

8. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)